

Docket No. 200106.00003  
Serial No. 10/787,031

Remarks

In the office action of July 13, 2005, the Examiner stated that the application contains the following patentably distinct inventions of the claimed invention.

Group I, Claims 1-26, drawn to multi-polarized antenna, classified in class 343, subclass 713.

Group II, Claims 27-31, drawn to a stacked configuration of antenna, classified in class 343, subclass 893.

**APPLICANT HEREBY ELECTS INVENTION I, CLAIMS 1-26 with traverse.**

With respect to the Restriction Requirement, the Examiner states that Inventions I and II are related as combination and subcombination. The Examiner states that the combination as claimed does not require particulars of the subcombination as claimed for patentability, as the combination does not require a radiative antenna and a conductive ground plane as in the subcombination.

With respect to this basis for restriction, the Applicant traverses the requirement, as the claimed invention in Groups I and II are closely related, and are properly examinable together. In the invention of Group I, claims 1-26, there is defined a multi-polarized antenna, having a construction as recited in the claims, wherein the antenna includes at least two radiative antenna elements connected at an apex, and disposed outwardly from the apex at an acute angle. Similarly, the invention of Group II, claims 27-31 also relates to an antenna configuration, wherein antennas of the type such as claimed in Group I, are provided in a stacked configuration. As described with reference to the embodiment of Fig. 9, a stacking configuration using multiple antennas of the types shown in the embodiments of Fig. 1 or Fig. 8 is described. The stacking of antennas in this manner merely provides a useful extension of the antenna configuration as

Docket No. 200106.00003  
Serial No. 10/787,031

defined in the claims of Group I, and should be properly examined in conjunction with the claims of Group I. The Examiner's statement that the combination does not require the particulars of the subcombination because the combination does not require a radiative antenna and a conductive ground plane is not supported, and instead it is noted that the invention as defined in independent claim 27 includes at least two antennas which each comprise at least two radiative antenna elements electrically connected in an apex point, and disposed outwardly from the apex point at an acute angle relative to an electrically conducted ground reference, is similar to the antenna as claimed in Group I. Based upon this, it is believed the Restriction Requirement should be withdrawn, and the same is respectfully requested.

Based upon the foregoing, favorable action hereon is believed to be in order, and withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

HAHN LOESER & PARKS LLP



Date: August 15, 2005

One GOJO Plaza  
Suite 300  
Akron, Ohio 44311-1076  
(330) 864-5550

Scott M. Oldham  
Reg. No. 32,712